

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, : HON. JOEL A. PISANO
PLAINTIFF, : CIVIL ACTION NO. 11-2562
V. : DECLARATION
FRANK E. COLABELLA, :
DEFENDANT. :

STATE OF NEW JERSEY :
 : ss:
COUNTY OF ESSEX :

Leah A. Bynon, being duly sworn, deposes and says:


1. I am an Assistant United States Attorney for the District of New Jersey and attorney for plaintiff United States of America in the captioned matter.
2. The Summons and Complaint were duly served upon defendant as appears from the attached Acknowledgment of Service, and the defendant was determined to be neither an infant or an incompetent, nor a member of the U.S. Armed forces as verified by the Defense Manpower Data Center (DMDC).
3. Said defendant contacted our office regarding the complaint and agreed to sign a Consent Judgment per Yolanda Hickman's (USAO FLU Specialist) notes but failed to return the signed Consent Judgment to plaintiff and defendant's time to do so has expired.

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4. As detailed in the attached Certificates of Indebtedness, there is due and owing to plaintiff from defendant: (A) the sum of \$435,390.23 as of March 29, 2011, plus interest thereafter at the rate of 2.47% per annum in the amount of \$3,615.53 accrued through September 30, 2011. Interest will continue to accrue at the rate of \$19.54 per day until the date of judgment, (B) the sum of \$70,236.64 as of March 29, 2011, plus interest thereafter at the rate of 8.25% per annum in the amount of \$2,179.04 accrued through September 30, 2011. Interest will continue to accrue at the rate of \$11.78 per day until the date of judgment, plus costs of suit, plus lawful interest computed daily and compounded annually after judgment.

I declare under penalty of perjury that the foregoing is, to the best of my knowledge and belief, true and correct.

Executed on September 30, 2011, in Newark, New Jersey.


S/ LEAH A. BYNON
LEAH A. BYNON
ASSISTANT U.S. ATTORNEY